

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3235

IN THE MATTER OF:

Served September 26, 1988

Application of SHAW BUS SERVICE,)
INC., for Approval to Transfer)
Certificate No. 100 to AMERICAN)
COACH LINES, INC.)

Case No. AP-88-09

By Order No. 3224, served August 25, 1988, the above-captioned transfer application was denied because we were unable to find transferee American Coach Lines, Inc. (ACL), fit as to compliance.

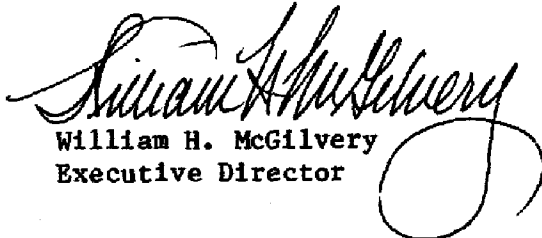
By petition filed August 26, 1988, ACL seeks reconsideration and requests expedited approval of the transfer. In support of its petition ACL asserts that the Commission's inability to find ACL fit to receive a transfer of operating authority is based upon operations conducted by ACL in the Metropolitan District "in good faith" and "under color or right" pursuant to ACL's Interstate Commerce Commission certificate. ACL further alleges "the existence of a severe and debilitating undercapacity of authorized passenger carriers conducting charter service within the Metropolitan District."

By reply filed September 2, 1988, protestants Gold Line, Inc., and National Coach Works, Inc., assert that ACL has a history of deliberate and defiant unlawful operation, that its claim of "color of right" is without substance, and that ACL is not, in fact, fit to receive the transfer of operating authority.

We hereby give notice that we grant reconsideration of Order No. 3224 pursuant to the Compact, Title II, Article XII, Section 16, for the purpose of reconsidering the arguments concerning the need for service and the fitness of ACL. When our deliberations on this matter are completed we will issue a further order rescinding, modifying, or affirming our decision.

IT IS SO ORDERED.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS WORTHY, SCHIFTER, AND SHANNON:


William H. McGilvery
Executive Director